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May 2, 2024

By ECF

Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Khani Phillibert*, 15 Cr. 647 (PAE)

Your Honor:

I write jointly with the Government respectfully to request a 60-day adjournment of the status conference in the above-captioned violation of supervised release proceeding, which is presently scheduled for May 14, 2024, at 2:30 pm. I understand that, at the last conference, this matter was adjourned pending more information from the Bronx County DA's office, in particular whether there is evidence that Mr. Phillibert merely possessed drugs or whether he instead distributed them. I recently spoke with Mr. Phillibert's lawyer at the Legal Aid Society who informed me that he remains unindicted in the Bronx County case; no discovery has been produced; no grand jury notice has been served (meaning that the Bronx DA's office is not imminently preparing to take the case to the grand jury); and the Bronx case is next calendared for June 4, 2024. Given this schedule in the state case, and the lack of discovery or additional information about the underlying facts, we do not anticipate being in a position to provide the Court with a meaningful update on May 14. I conferred with Assistant United States Attorney William Stone, and the parties jointly request an adjournment of approximately 60 days. Probation Officer Matthew Omlor also informs us that he has no objection to the adjournment. Thank you for your consideration.

Respectfully submitted,

/s/ Benjamin Silverman
Benjamin Silverman

GRANTED. The conference is adjourned to July 11, 2024 at 10:30 a.m. The Clerk of Court is requested to terminate the motion at Dkt. No. 73.

5/3/2024

SO ORDERED.



PAUL A. ENGELMAYER

United States District Judge